

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MARIA MANUELLA,  
Plaintiff,

v.

MICHAEL J. ASTRUE,  
Commissioner of the  
Social Security Administration,  
Defendant.

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CIVIL ACTION


NO. 08-1316

**ORDER**

AND NOW, this 27 day of MAY, 2009, upon independent review of Plaintiff's Motion for Summary Judgment Or, In the Alternative, Plaintiff's Motion for Remand, Plaintiff's Brief and Statement of Issues in Support of Request for Review and Motion for Summary Judgment (Doc. 8), Defendant's Response to Request for Review of Plaintiff (Doc. 9), and the administrative record, and after careful consideration of the Report and Recommendation of United States Magistrate Judge David R. Strawbridge, it is hereby **ORDERED** that:

1. The Report and Recommendation is **APPROVED** and **ADOPTED**;
2. Plaintiff's Motion for Summary Judgment (Doc. 8) is **DENIED** but Plaintiff's Motion for Remand (Doc. 8) is **GRANTED**;
3. The final decision of the Commissioner denying disability benefits to Plaintiff is **VACATED**; and
4. The matter is **REMANDED** to the Commissioner pursuant to sentence four of 42 U.S.C. § 405(g) for further proceedings consistent with the Magistrate Judge's Report.

BY THE COURT:

  
RONALD L. BUCKWALTER, J.